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OGC Has Reviewed

18 August 1954

STATINTL

MEMORANDUM FOR: Mr. [REDACTED], Special Assistant to the DD/A

SUBJECT : Per Diem Allowance During Headquarters Debriefing Period
for Employee Returning from Overseas on PCS to Washington

REFERENCE : Telephone Conversation of 10 August 1954

1. In the course of our telephone conversation on 10 August 1954, you requested an opinion as to the propriety of paying per diem to an employee who has been returned PCS to Washington from overseas and is brought to Washington for debriefing prior to being sent on home leave. At that time I told you that I did not believe the payment of per diem during the debriefing period was allowable in these circumstances, but that I would check further into the matter before giving you a formal opinion. I have set out below a discussion of the particular point raised by you and related ones.

2. An employee may not be paid per diem in lieu of subsistence at his permanent duty station. This is the rule as set out in paragraph 46, Standardized Government Travel Regulations. From this it follows that an employee who is transferred from overseas to Washington on a permanent change of station and for home leave may not be paid per diem for whatever period of time he spends in Washington for debriefing prior to going on home leave. This answers your specific question.

3. Generally to the end of offering some reimbursement to an employee held, or taken, off of home leave for debriefing purposes at his new permanent duty station, the applicable regulations allow the remittance of travel costs in most circumstances.

a. If an employee, while on leave, is asked to come to his permanent duty station on official business, his round-trip travel expenses may be borne by the Agency (25 Comp. Gen. 347 (1945), 28 Comp. Gen. 237 (1948), and Decision of the Comptroller General A-86481 (1937)).

b. From the above we believe it would follow that, if an employee is diverted from his line of direct route travel to his home at the port of entry to the United States to report to his permanent duty station for official business, the extra traveling expenses involved may be borne by the government. So, in the hypothetical case of A, who has been ordered PCS to Washington and to home leave, and who is going to Boston for home leave but is asked to report to Washington prior to actually going on leave, his round-trip travel expenses between, say, New York, the port of entry, and Washington, may be borne by the Agency.

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c. If while on home leave an employee is put on temporary duty at the place of home leave, the remission of per diem in lieu of subsistence may be made to him for the period of temporary duty. Thus, if while on home leave in Boston, A is debriefed there, or assigned some other official duty, he may be paid per diem for the period of debriefing or performance of other duty (16 Comp. Gen. 481 (1936), 25 Comp. Gen. 347 (1945), 28 Comp. Gen. 237 and 697 (1948)).

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4. In those instances above when travel expenses are authorized, per diem while in a travel status also is allowable.

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5. We believe that the above constitutes the limit of those situations in which some remuneration for the inconvenience incident to interruption or postponement of home leave may be granted. We trust that this will answer your queries. If we may be of any further assistance in the matter, we shall be glad so to do.

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Office of General Counsel

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